

**REGULAR MEETING  
CITY COUNCIL  
January 5, 2006**

**ROLL CALL:**

MR. WOJCIK, MR. MCGRATH, MR. RYAN, MR. DUNNE, MR. KROGH, MRS. COLLIER, MR. CAMPANA, MRS. MAHAR  
DERGURAHIAN, PRESIDENT BAUER

ABSENT:

**Local Law No.** 1 for 2006 **Date** January 5, 2006  
**Introduced by Council Member** DerGurahian  
**At the request of** Administration **Seconded by** Dunne

L.L. #1(INTRO #3 FOR 2005)

LOCAL LAW NO. 1 OF 2006

A LOCAL LAW AMENDING SECTION 4 OF  
LOCAL LAW NO. 2 OF 1987, TO REVISE THE TROY EMPIRE ZONE  
(FORMERLY KNOWN AS AN ECONOMIC DEVELOPMENT ZONE)

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TROY, COUNTY OF  
RENSSELAER, STATE OF NEW YORK, AS FOLLOWS:

Section 1. By Local Section 4 of Law No. 2 of 1987, this City Council authorized an applicant for the designation of an Economic Development Zone relative to certain land within the City of Troy.

Section 2. That the City of Troy has received Economic Development Zone approval from New York State.

Section 3. By Local Law No. 1, adopted in the year 1989, the Economic Development Zone was expanded.

Section 4. By Local Law No. 3, adopted in the year 1995, the Economic Development Zone was expanded a second time.

Section 5. By Local Law No. 6, adopted in the year 1999, the Economic Development Zone was expanded a third time.

Section 6. By Local Law No. 6, adopted in the year 2002, the Economic Development Zone, now called the Empire Zone, was expanded a fourth time.

Section 7. It is the desire of this City Council to authorize an application to revise the Empire Zone to include 1,278.24 acres located in the City of Troy.

Section 8. The City of Troy is hereby authorized to submit an application to revise the Empire Zone to include the property described in Section 7 of this Local Law.

Section 9. The boundary of the Empire Zone, as described in Local Law No. 2 of 1987, Local Law No. 1 of 1989, Local Law No. 3 of 1995, Local Law No. 6 of 1999, and Local Law No. 6 of 2002, and Local Law #2 for 2005, shall be amended to include the properties as defined in the attached proposed 2006 change map, prepared by C.T. Male Associates, P.C., attached hereto and made a part hereof.

Section 10. The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law.

Section 11. In all other respects, Local Law No. 2 of 1987, Local Law No. 1 of 1989, Local Law 3 of 1995, Local Law No. 6 of 1999, and Local Law No. 6 of 2002 shall remain in full force and effect.

Section 12. This Local Law shall take effect immediately upon the filing with the New York State Secretary of State.

Approved as to form, December 14, 2005

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David B. Mitchell, Corporation Counsel

**Local Law ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 1 Date January 5, 2006  
 Introduced by Council Member DerGurahian  
 At the request of Administration Seconded by Krogh

**ORD. #1**

**ORDINANCE FIXING THE FORM AND AMOUNT OF THE BOND COVERING THE CITY CLERK  
AND CITY FISCAL OFFICERS**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Pursuant to Section C-14 and C-68 of the City Charter the City Clerk, the City Comptroller, the City Treasurer, the City Purchasing Agent, the City Auditor and department heads will all be covered by a blanket bond covering all city employees.

Section 2. The amount of the bond shall be as follows:

**\$250,000** per employee

Section 3. A copy of the bond shall be filed in the office of the Rensselaer County Clerk.

Section 4. This ordinance shall take effect immediately.

Approved as to form, December 14, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 2 Date January 5, 2006  
 Introduced by Council Member Collier  
 At the request of Administration Seconded by Dunne

**ORD #2**

**ORDINANCE AMENDING THE TROY CITY CODE BY EXTENDING THE  
MORATORIUM ON THE ESTABLISHMENT, ENLARGEMENT AND/OR EXTENSION OF SEXUALLY  
ORIENTED BUSINESSES**

The City of Troy, in city Council convened, ordains as follows:

Section 1. Section 285-67 of City Code shall be amended by extending a new Paragraph I, which was added by the City Council in January 2005, to read as follows:

- I. Notwithstanding any other provision of this code to the contrary, no new adult establishment shall be allowed, nor shall any existing adult establishment be enlarged or extended, nor shall any non-conforming use be changed to an adult establishment, on or before December Thirty-First, Two-Thousand Six.

Section 2. This ordinance shall take effect immediately.

Approved as to form, December 21, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

**Ordinance No.** 3 **Date** January 5, 2006  
**Introduced by Council Member** DerGurahian  
**At the request of** Administration **Seconded by** Krogh

**ORD #3**

**ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF TROY  
TO ACCEPT TITLE, ON BEHALF OF THE CITY OF TROY,  
OF A 2004 ZAMBONI IN SATISFACTION OF A PRIOR DEBT  
OWED TO THE CITY BY TROY YOUTH HOCKEY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The Mayor of the City of Troy is hereby authorized to accept legal title, from the Troy/Albany Youth Hockey Association, of a 2004 Zamboni 540. The City of Troy accepts this vehicle in consideration of a \$40,000 debt due the City from the Troy/Albany Youth Hockey Association due to delinquencies in rental payments over the current lease term.

Section 2. The City shall only accept title to the Zamboni 540 and therein release the debt obligation of the Troy/Albany Youth Hockey Association for the payment of the \$40,000 rental delinquency upon the production

of a fully-executed certificate of title demonstrating the vehicle is free from any and all liens and/or encumbrances of any kind.

Section 3. The invoice, copies of checks demonstrating full payment for the vehicle and all supporting and identifying information is in Schedule "A" attached hereto and made a part hereof.

Section 4. This ordinance shall become effective immediately.

Approved as to form, December 23, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

**Ordinance No.** 4 **Date** January 5, 2006  
**Introduced by Council Member** Collier  
**At the request of** Administration **Seconded by** DerGurahian

**ORD. #4**

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A RELEASE OF  
REVERTER ATTACHED TO THE DEED OF 245 CONGRESS STREET,  
TROY, NEW YORK PURSUANT TO THE ATTACHED ESCROW AGREEMENT

The City of Troy, in City Council convened, ordains as follows:

Section 1. The Mayor of the City of Troy is hereby authorized to release the reverter in the deed conveyed to Rensselaer Polytechnic Institute on January 24, 2004, which were recorded in the Rensselaer County Clerk's Office on March 17, 2004.

Section 2. The reverter shall not be executed, transferred or filed until the terms of the escrow agreement, attached hereto and made a part hereof, are complied with.

Section 3. This ordinance shall become effective immediately.

Approved as to form, December 22, 2005

\_\_\_\_\_  
David B. Mitchell, Esq., Corporation Counsel

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

**Resolution No.** 1 **Date** January 5, 2006  
**Introduced by Council Member** DerGurahian  
**At the request of** Administration **Seconded by** Campana

**RES. #1**

**RESOLUTION AUTHORIZING THE ADOPTION  
OF AN INVESTMENT POLICY FOR THE CITY OF TROY**

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**WHEREAS**, it is in the best interest of the City of Troy to ensure that all of its investments are made on a financially sound and legal basis and at a competitive rate of return; and

**WHEREAS**, in cooperation with the New York State Comptroller's Office and Bureau of Audit and Control, the City Comptroller has developed a uniform policy and practice of such investments;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby adopts said investment policy, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED**, that said investment policy be followed with regard to any and all investments of municipal funds.

Approved as to form, December 14, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel

**Resolution ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 2 Date January 5, 2006  
 Introduced by Council Member DerGurahian  
 At the request of Administration Seconded by Ryan

RES. #2

**RESOLUTION NAMING BANKS AS  
OFFICIAL DEPOSITORIES OF CITY FUNDS**

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**BE IT RESOLVED**, that pursuant to the authority contained in Section C-74 of the City Charter, the following banks, including their successors institutions, if applicable, are designated as official depositories of city funds:

**M&T BANK**

**PIONEER COMMERCIAL BANK**

**FIRST NIAGARA**

**BANK OF AMERICA**

Approved as to form, December 14, 2005

\_\_\_\_\_  
 David B. Mitchell, Corporation Counsel

**Resolution ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

Resolution No. 3 Date January 5, 2006  
 Introduced by Council Member DerGurahian  
 At the request of Administration Seconded by McGrath

RES. #3

**RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF TROY  
TO ENTER INTO AN AGREEMENT WITH NYSDOT FOR REIMBURSEMENT FOR THE  
PURCHASE OF A MECHANICAL STREET SWEEPER IN THE AMOUNT NOT TO EXCEED ONE-  
HUNDRED NINETY THOUSAND DOLLARS**

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WHEREAS, as a result of the May 2005 fire at the Department of Public Works garage, the City of Troy lost a street sweeper to that fire; and

WHEREAS, Senator Joseph L. Bruno dedicated \$190,000 to the City of Troy for the purchase of a new mechanical street sweeper; and

WHEREAS, the New York State Department of Transportation has notified the Honorable Harry J. Tutunjian by letter dated December 12, 2005, attached hereto and made a part hereof, that the State will be reimbursing the City of Troy for all expenses for the replacement of the street sweeper up to \$190,000.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy hereby authorizes the Honorable Harry J. Tutunjian to enter into an agreement with NYSDOT for reimbursement for the purchase of the mechanical street sweeper and the Council further authorizes the Mayor to execute all documentation with the New York State Department of Transportation necessary for reimbursement for the purchase of same.

Approved as to form, December 21, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel

**Resolution ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-11-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

<b>Resolution No.</b>	<u>4</u>	<b>Date</b>	<u>January 5, 2006</u>
<b>Introduced by Council Member</b>	<u>DerGurahian</u>		
<b>At the request of</b>	<u>Administration</u>	<b>Seconded by</b>	<u>DerGurahian</u>
<b>Motion to Amend by Members</b>	<u>Campana/Dunne</u>	<b>Seconded by</b>	<u>Krogh</u>

**RES. #4**

#### **RESOLUTION APPOINTING COMMISSIONER OF DEEDS**

BE IT RESOLVED, that the City Council hereby appoints the following persons, as identified in Schedule "A", attached hereto and made a part hereof, Commissioners of Deeds for the City of Troy for the terms identified in Schedule "A".

Approved as to form, December 21, 2005

\_\_\_\_\_  
David B. Mitchell, Corporation Counsel



**Motion to AMEND Resolution ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Resolution as Amended was ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Sent to the Mayor 01-10-06 for Executive Action, Approved and Returned 01-12-06**

**SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION**

**Meeting Adjourned 8:58 pm**